

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>MICHAEL L. REED,</b>	)	
	)	
<b>Petitioner/Defendant,</b>	)	
	)	<b>CIVIL NO. 07-cv-318-JPG</b>
<b>vs.</b>	)	
	)	<b>CRIMINAL NO. 04-cr-40015</b>
<b>UNITED STATES of AMERICA ,</b>	)	
	)	
<b>Respondent/Plaintiff.</b>	)	

**MEMORANDUM AND ORDER**

**GILBERT, District Judge:**

This matter is before the Court on Petitioner's motion for relief pursuant to 28 U.S.C. § 2255. On May 24, 2005, Petitioner pleaded guilty without a written plea agreement to conspiracy to manufacture 50 grams or more of a mixture and substance containing methamphetamine, in violation of 21 U.S.C. § 846. On October 7, 2005, Petitioner was sentenced to 96 months imprisonment, five years supervised release, a fine of \$400, and a special assessment of \$100. Petitioner appealed. On December 18, 2006, the United States Court of Appeals for the Seventh Circuit affirmed the judgment of this Court. On April 26, 2007, Petitioner filed the instant motion under § 2255.

In his motion the Petitioner raises three grounds for relief: (1) that his counsel was ineffective in failing to properly research the government's claims and statements of witnesses; (2) that the prosecutor acted improperly in submitting to the court knowingly erroneous witness statements; and (3) that he was denied due process when the Court improperly enhanced his sentence under the Sentencing Guidelines, adding 26 months to his term of incarceration.

The Court **ORDERS** the Government to file a response to Petitioner's motion within

**THIRTY (30) DAYS** of the date of this Order. The Government shall, as part of its response, attach all relevant portions of the record.

**IT IS SO ORDERED.**

**Dated: May 23, 2007**

**s/ J. Phil Gilbert**  
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**U. S. District Judge**